

REMARKS

At the time of the Final Office Action dated November 22, 2006, claims 1-9 were pending and rejected in this application. Claims 1, 4-5, and 8-9 have been amended to clarify that the recited wireless network is of computing devices coupled to one another via a wireless access point, and this amendment to the claims finds adequate descriptive support throughout the originally-filed disclosure, for example, on page 7, line 12-19. Applicant submits that the present Amendment does not generate any new matter issue.

CLAIM 5 IS REJECTED UNDER 35 U.S.C. § 102 FOR ANTICIPATION BASED UPON FLINT ET AL., U.S. PATENT NO. 6,289,213 (HEREINAFTER FLINT)

On pages 5 and 6 of the Office Action, the Examiner asserted that Flint discloses the invention corresponding to that claimed. This rejection is respectfully traversed.

Initially, Applicant notes that claim 5 has been amended to clarify that the wireless computer network adapter is configured to wirelessly communicate with a wireless computer network of computing devices coupled to one another via a wireless access point. Applicant respectfully submit that the term wireless access point has a very specific definition to one having ordinary skill in the art. For example, an access point has been defined¹ as:

a station that transmits and receives data (sometimes referred to as a transceiver). An access point connects users to other users within the network and also can serve as the point of interconnection between the WLAN and a fixed wire network. Each access point can serve multiple users within a defined network area; as people move beyond the range of one access point, they are automatically handed over to the next one. A small WLAN may only require a single access point; the number required increases as a function of the number of network users and the physical size of the network.

¹http://searchmobilecomputing.techtarget.com/sDefinition/0,290660,sid40_gci896478,00.html.

On page 2 of the Office Action, the Examiner identified column 2, lines 27-47 as teaching a wireless computer network. However, the wireless connection described by Flint is not between a network of computing devices coupled to one another via a wireless access point. Instead, Flint teaches wirelessly connecting a telephone handset 300 with a base station 302. Although the base station 302 is described as being able to handle multiple handsets 300 (column 5, lines 26-29), Flint fails to teach that these handsets 300 are communicatively coupled to one another via the base station 302.

Therefore, for the reasons stated above, Flint fails to identically disclose the claimed invention, as recited in claim 5, within the meaning of 35 U.S.C. § 102.

**CLAIM 5 IS REJECTED UNDER 35 U.S.C. § 102 FOR ANTICIPATION BASED UPON
NISHIMURA, U.S. PATENT NO. 4,661,659**

On page 6 of the Office Action, the Examiner asserted that Nishimura discloses the invention corresponding to that claimed. This rejection is respectfully traversed.

As noted above, claim 5 has been amended to clarify that the wireless computer network adapter is configured to wirelessly communicate with a wireless computer network of computing devices coupled to one another via a wireless access point. On page 3 of the Office Action, the Examiner asserted that the wireless circuit TC1 taught by Nishimura identically discloses the claimed network adapter.

Applicant respectfully submits that the wireless circuit TC1 is not a wireless computer network adapter configured to wirelessly communicate with a wireless computer network of computing devices coupled to one another via a wireless access point, as recited in claim 5. Upon reviewing the teachings of Nishimura, it is readily apparent that Nishimura is unrelated to an adapter configured to wirelessly communicate with a wireless computer network of computing devices coupled to one another via a wireless access point. Instead, Nishimura is directed to a phone receiver A and a master computer unit B, and Nishimura is completely silent as to the wireless circuit TC1 within the phone receiver A being used as an adapter configured to wirelessly communicate with a wireless computer network of computing devices coupled to one another via a wireless access point. Therefore, Nishimura fails to identically disclose the claimed invention, as recited in claim 5, within the meaning of 35 U.S.C. § 102.

CLAIMS 1 AND 8-9 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON CAREY ET AL., U.S. PATENT NO. 5,055,183 (HEREINAFTER CAREY), IN VIEW OF SHARMA ET AL., U.S. PATENT NO. 5,452,289 (HEREINAFTER SHARMA)

On pages 7 and 8 of the Office Action, the Examiner concluded that one having ordinary skill in the art would have been motivated to modify Carey in view of Sharma to arrive at the claimed invention. This rejection is respectfully traversed.

Independent claims 1 and 8-9 have also been amended to clarify that the recited network is a wireless computer network of computing devices coupled to one another via a wireless access point. On page 7 of the Office Action, the Examiner asserted that the features 38, 41 and 29 taught by Carey identically disclose the claimed network adapter.

Features 29, 38, and 41 are described by Carey as a data interface circuit 29 and RF modulators 38 and demodulators 41. Notwithstanding these teachings, Carey is silent as to these features being adapters for a wireless computer network of computing devices coupled to one another via a wireless access point. Thus, even if one having ordinary skill in the art were motivated to modify Carey in view of Sharma, the claimed invention, as recited in claims 1 and 8-9, would not result. Applicant, therefore, respectfully solicits withdrawal of the imposed rejection of claims 1 and 8-9 under 35 U.S.C. § 103 for obviousness based upon Carey in view of Sharma.

**CLAIMS 1-7 ARE REJECTED UNDER 35 U.S.C. § 103 FOR OBVIOUSNESS BASED UPON
CAREY IN VIEW OF FLINT**

On pages 8-10 of the Office Action, the Examiner concluded that one having ordinary skill in the art would have been motivated to modify Carey in view of Flint to arrive at the claimed invention. This rejection is respectfully traversed.

Independent claims 1 and 4-5 have been amended to clarify that the recited network is a wireless computer network of computing devices coupled to one another via a wireless access point. On page 8 of the Office Action, the Examiner asserted that the features 38, 41 and 29 taught by Carey identically disclose the claimed network adapter.

Features 29, 38, and 41 are described by Carey as a data interface circuit 29 and RF modulators 38 and demodulators 41. Notwithstanding these teachings, Carey is silent as to these

features being adapters for a wireless computer network of computing devices coupled to one another via a wireless access point. Thus, even if one having ordinary skill in the art were motivated to modify Carey in view of Flint, the claimed invention, as recited in claims 1 and 4-5, would not result. Applicant, therefore, respectfully solicits withdrawal of the imposed rejection of claims 1-7 under 35 U.S.C. § 103 for obviousness based upon Carey in view of Flint.

Applicant has made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicant hereby respectfully requests reconsideration and prompt allowance of the pending claims.

Although Applicant believes that all claims are in condition for allowance, the Examiner is directed to the following statement found in M.P.E.P. § 706(II):

When an application discloses patentable subject matter and it is apparent from the claims and the applicant's arguments that the claims are intended to be directed to such patentable subject matter, but the claims in their present form cannot be allowed because of defects in form or omission of a limitation, the examiner should not stop with a bare objection or rejection of the claims. The examiner's action should be constructive in nature and when possible should offer a definite suggestion for correction.

Application No.: 10/672,030

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

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Respectfully submitted,

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